

FILED  
Clerk  
District Court

NOV 23 2005

Reynaldo O. Yana  
Attorney at Law  
P.O. Box 500052  
Saipan, MP 96950  
Tel. (670)234-6529  
Fax (670) 234-8969

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

Attorney for Defendants

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN MARIANA ISLANDS**

JIN CHUN HU,	)	CIVIL CASE NO. CV-05-0030
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b>DEFENDANTS' ANSWER</b>
ISLAND SEVEN COLORS, INC., KIM	)	<b>PLAINTIFF'S COMPLAINT</b>
CHANG RYEOL and DOE I,	)	
	)	
Defendants.	)	
_____	)	

Defendants, by and through their undersigned counsel, hereby set forth their answer to the plaintiff's complaint as follows:

1. Defendants admit the allegations in paragraphs 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 23, 35, 51, 52, 53, 55, 60, and 61 of the plaintiff's complaint.

2. . Defendants deny the allegations in paragraphs 1, 2, 3, 4, 18, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 42, 43, 44, 46, 47, 48, 49, 54, 56, 57, 58, 62, 63, 64, 65, 66, and 67 of the plaintiff's complaint.

3. Defendants admit that part of the sentence in paragraph 20 of the plaintiff's complaint which states that Mr. Jin was an employee of Island Seven within the meaning of §9212(c) of the MWAHA, but deny that part of sentence in paragraph 20 of the

plaintiff's complaint which states that Mr. Jin was employed by Island Seven within the meaning of §203(c)(1) of FLSA.

4. Defendants admit that part of the sentence in paragraph 21 of the plaintiff's complaint which states that Island Seven was an employer of Mr. Jin within the meaning of §9212(f) of the MWA, but deny that part of sentence in paragraph 21 of the plaintiff's complaint which states that Island Seven is an employer within the meaning of §203(d) of FLSA.

5. Defendants admit that part of the sentence in paragraph 22 of the plaintiff's complaint which states that Mr. Jin was employed by Island Seven within the meaning of §9212(d) of the MWA, but deny that part of sentence in paragraph 22 of the plaintiff's complaint which states that Mr. Jin was employed by Island Seven within the meaning of §203(d) of FLSA.

6. Defendants admit or deny the allegations in paragraph 41 as shown above.

7. Defendants admit or deny the allegations in paragraph 45 as shown above.

8. Defendants admit or deny the allegations in paragraph 50 as shown above.

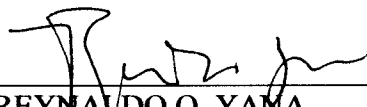
9. Defendants admit or deny the allegations in paragraph 59 as shown above..

#### AFFIRMATIVE DEFENSES

1. The court has no subject matter jurisdiction over the plaintiff's federal claims, and therefore has no jurisdiction over the plaintiff's pendent claims.

2. The plaintiff's claim is now barred by reason of the settlement agreement between the parties on October 24, 2005, or as an alternative is bound by contract to dismiss his claim against the defendants.

Dated this 23<sup>rd</sup> day of November, 2005.

  
\_\_\_\_\_  
REYNALDO O. YANA  
Attorney for Defendants

# EXHIBIT A

## SETTLEMENT AGREEMENT

This agreement made this 24<sup>th</sup> day of OCTOBER, 2005 by and between **Island Seven Colors, Inc.** (hereinafter referred to as "**Employer**") of Saipan, Commonwealth of the Mariana Islands, and **ChunHu Jin** (hereinafter referred to as "**Employee**") of Saipan, Commonwealth of the Mariana Islands:

I. "**Employer**" shall pay to "**Employee**" as follows:

- A. \$5,000 as settlement consideration
- B. Air-ticket to China


II. "**Employee**" shall drop his civil lawsuit (05-0030) against "**Employer**" and **Kim, Chang Ryeol** and shall not file any criminal and/or civil/labor complaints against "**Employer**" or its officers and/or directors.

III. "**Employee**" shall pay his attorney fees and other expenses regarding lawsuit No. 05-0030.

IV. "**Employee**" shall depart Saipan on October 25, 2005.

IN WITNESS WHEREOF we have executed this assignment on the day and year first above written.

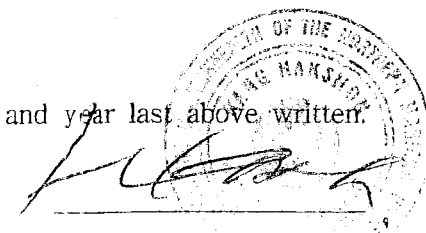
  
\_\_\_\_\_  
**Kim, Chang Ryeol**  
Authorized Representative

  
\_\_\_\_\_  
**ChunHu Jin**

Commonwealth of the Northern  
Mariana Islands )ss  
Saipan, MP 96950 )

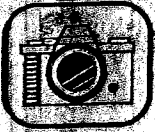
On this 24<sup>th</sup> day of OCT, 2005, before me, a Notary Public for and in the the Commonwealth of the Northern mariana Islands, personally appeared ~~KIM, CHANG RYEOL~~ ChunHu Jin, known to me to be the persons whose names are subscribed into the instrument and who acknowledged that they executed the same as their free act and deed.

WITNESS my hand and seal on the day, month, and year last above written.

  
\_\_\_\_\_  
Notary Public, Commonwealth of the Northern Mariana Islands

**Clarke American.**

Transacting America's Business

**ISLAND SEVEN COLORS, INC.**PMB 104  
P. O. BOX 10000  
SAIPAN, MP 96950  
PH: (670)234-3312

2188

DATE 10/24/2005

101-501/1214  
32

PAY TO THE ORDER OF ChunHu Jin

\$ 5,000.00

\*\*Five Thousand &amp; 00/100 Only\*\*

DOLLARS

**Bank of Hawaii**SAIPAN BRANCH  
SAIPAN, MP 96950

NON-NEGOTIABLE

⑈002188⑈ ⑆121405018⑆ 0032⑈030810⑈

ISLAND SEVEN COLORS, INC.  
SAIPAN, MP 96950**DETACH AND RETAIN THIS STATEMENT**  
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW  
IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED

DATE	DESCRIPTION	AMOUNT
10/24/2005	Payment for Settlement for a labor case	\$5,000.00

NON-NEGOTIABLE



ISSUED BY **Asiana Airlines**  
NON-REVENUE

PASSENGER TICKET AND BAGGAGE CHECK  
SUBJECT TO CONDITIONS OF CONTRACT IN THIS TICKET  
FLIGHT COUPON 3  
FOR SOME

ORIGIN/DESTINATION  
CISKUL RN.F

SPH101132400  
ASIANA AIRL  
SAIPAN  
N/MARIANA IS

NO.	CLASS OF SERVICE BETWEEN POINTS OUTLINED	CARRIER	FLIGHT	CLASS	DATE	TIME	STATUS	FARE BASIS	FARE VALUE	TAX VALUE	TOTAL VALUE
1	VOID		VOID	VOID	VOID	VOID		VOID	VOID	VOID	VOID
2	VOID		VOID	VOID	VOID	VOID		VOID	VOID	VOID	VOID

2500T0000N 02 SEL 480.000Z CBB291.02N03771.82 AND 2001.00000  
XTXF4.508PN4.5

3 988 4434095205 6 □

DO NOT MARK OR STAMP IN WHITE AREA ABOVE

1 3 9 8 8 4 4 3 9 0 9 5 2 0 5 6

ISSUED BY **Asiana Airlines**  
NON-REVENUE

PASSENGER TICKET AND BAGGAGE CHECK  
SUBJECT TO CONDITIONS OF CONTRACT IN THIS TICKET  
FLIGHT COUPON 4  
FOR SOME

ORIGIN/DESTINATION  
ULAKUL RN.F

SPH101132400  
ASIANA AIRL  
SAIPAN  
N/MARIANA IS

NO.	CLASS OF SERVICE BETWEEN POINTS OUTLINED	CARRIER	FLIGHT	CLASS	DATE	TIME	STATUS	FARE BASIS	FARE VALUE	TAX VALUE	TOTAL VALUE
1	VOID		VOID	VOID	VOID	VOID		VOID	VOID	VOID	VOID
2	VOID		VOID	VOID	VOID	VOID		VOID	VOID	VOID	VOID

2500T0000N 02 SEL 480.000Z CBB291.02N03771.82 AND 2001.00000  
XTXF4.508PN4.5

4 988 4434095205 3 □

DO NOT MARK OR STAMP IN WHITE AREA ABOVE

1 3 9 8 8 4 4 3 9 0 9 5 2 0 5 3

## Economy Class

Boarding Pass - 탑승권

Shinyoung Printing

NAME 성명 **JIN . CHUNHUMR**FROM 출발지 **SPN** → TO 도착지 **ICN**

FLIGHT NO. 편명

**02 255**

DATE 탑승일

**25OCT05**

-ZONE C-

GATE 탑승구 搭乗口

**5**

BOARDING TIME 탑승시간 搭乗時刻

**0220**

SEQ

**102/SY/38K****SELECTEE**

Boarding gate closes 10 minutes prior to departure time.

航空機 定時出發을 위하여 出發時間 10分前에 搭乗이 終了됩니다.

insert

AGT: CHOI  
 NAME 성명 **JIN . CHUNHUMR**  
 FROM 출발지 **SAIPAN**  
 TO 도착지 **SEOUL** **ICN**  
 FLIGHT NO. 편명 **02 255** DATE 탑승일 **25OCT05**

DEP TIME 출발시간 出發時刻 **0250** SEAT NO. 좌석번호 座席番號 **38K**

**ZONE C**

MEMBERSHIP CARD NO.

TIMES MILES  
 BAGGAGE 수하물 **0/ 0 YY** CLASS  
**Asiana Airlines**

## Economy Class

Boarding Pass - 탑승권

Shinyoung Printing

NAME 성명 **JIN . CHUNHUMR**FROM 출발지 **ICN** → TO 도착지 **CGQ**

FLIGHT NO. 편명

**02 337**

DATE 탑승일

**25OCT05**

-ZONE A-

GATE 탑승구 搭乗口

**38**

BOARDING TIME 탑승시간 搭乗時刻

**0930**

SEQ

**002/SY/16F****SELECTEE**

Boarding gate closes 10 minutes prior to departure time.

航空機 定時出發을 위하여 出發時間 10分前에 搭乗이 終了됩니다.

**SPN**

insert

NAME 성명 **JIN . CHUNHUMR**  
 FROM 출발지 **SEOUL** **ICN**  
 TO 도착지 **CHANGCHUN**  
 FLIGHT NO. 편명 **02 337** DATE 탑승일 **25OCT05**

DEP TIME 출발시간 出發時刻 **1010** SEAT NO. 좌석번호 座席番號 **16F**

**ZONE A**

MEMBERSHIP CARD NO.

TIMES MILES  
 BAGGAGE 수하물 **0/ 0 YY** CLASS  
**Asiana Airlines**



CNMI Office of the Attorney General  
Division of Immigration  
**ENTRY PERMIT**



**CHUNHU JIN**

Citizenship	Gender	Bir/bdate	Island
CHN	M	03/26/1984	SAIPAN

**Empty:** ISLAND SEVEN COLORS INC

Occ: **COMMERCIAL CLEANER**

Class: 706K NEW

Issue Date 01/21/2005 Exp. Date 01/21/2006



**292463**



中华人民共和国外交部请各国军政机关对持照人予以通行的便利和必要的协助。

*The Ministry of Foreign Affairs of the People's Republic of China requests all civil and military authorities of foreign countries to allow the bearer of this passport to pass freely and afford assistance in case of need.*



护照  
PASSPORT

类型 / Type  
P

国家码 / Country Code  
CHN

护照号 / Passport No.

G I I 027786



姓 / Surname

金/JIN

名 / Given names

春虎/CHUNHU

性别 / Sex

男/M

出生日期 / Date of birth

26 MAR 1984

签发日期 / Date of Issue

06 SEP 2004

签发地点 / Place of issue

吉林 / JILIN

身份证号码 / Identity card No.

222405198403262412

出生地点 / Place of birth

吉林 / JILIN

有效期至 / Date of expiry

05 SEP 2009

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